



MOREE PLAINS SHIRE COUNCIL

8 MARCH 2018

ORDINARY COUNCIL MEETING

DRAFT MINUTES

Wednesday, 28 February 2018

TO:

- Councillors
- General Manager
- Director – Corporate Services
- Director – Planning and Community Development
- Director – Engineering Services
- Manager – Water and Waste
- Manager – Executive Projects

Notice is hereby given that the **Ordinary Meeting of Council** will be held in the Council Chamber, the Max Centre, 30 Heber Street, Moree, on **Thursday, 8 March 2018** commencing at **4pm**.

Please note that all Council meetings are recorded.

Yours sincerely



Lester Rodgers
GENERAL MANAGER

Agenda

1. Open Meeting
2. Apologies
3. Confirmation of Minutes
4. Leave of Absence requests
5. Declarations of Interest
6. Public Forum
7. Reports

Ordinary Council Meeting Draft Minutes

8 March 2018

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PRESENT:

Councillors K Humphries (Mayor), S Ritchie (Deputy Mayor), J Tramby OAM, K Cassells, J Crawford, G Smith and M Montgomery AM.

IN ATTENDANCE:

Mr M Johnson (Acting General Manger/Director of Corporate Services), Mr I Dinham (Director of Engineering Services), Mr Angus Witherby (Director of Planning and Community Development), Ms L Fisher (Project and Development Manager), Mrs L Carter (Integrated Planning and Reporting Manager), Mrs A Colbran (Governance Project Office), Mr Connolly (Manager Economic and Community Development), Mr Graham Macpherson (Acting Water Services Engineer), Mr John Carlton (Executive Projects Manager) Mr D Graham (Environment and Compliance Manager), Mr R Heatley (Acting Water and Waste Director), Mr A Nair (Services Engineer), Miss L Colley (Executive Assistant) and Ms D Murray (Executive Coordinator).

APOLOGIES:

Nil

LEAVE OF ABSENCE:

- Councillor S Price
 - Councillor G Chiu
-

LEAVE OF ABSENCE REQUESTS:

Nil

ACCEPTANCE OF LATE REPORTS:

- A. Mayoral Minute – Royal Flying Doctor Service – 90th Anniversary
- B. Committee Rec - Late Report - Workshop – Forthcoming Grant Opportunities and Project Priorities
- C. Confidential – Sale of Council Land – Lot 9 Section 2 DP 758127, 85 Merriwa Street, Boggabilla
- D. Confidential – Offer – Lot 2 DP 594110; Lot 2 Anne Street, Moree

RESOVLED 18/03/01 (SMITH/RITCHIE)

That the following late reports:

- A. Mayoral Minute – Royal Flying Doctor Service – 90th Anniversary
- B. Committee Rec - Late Report - Workshop – Forthcoming Grant Opportunities and Project Priorities
- C. Confidential – Sale of Council Land – Lot 9 Section 2 DP 758127, 85 Merriwa Street, Boggabilla
- D. Confidential – Offer – Lot 2 DP 594110; Lot 2 Anne Street, Moree (CASSELLS/RITCHIE)

be accepted by Council.

MINUTES:

Minutes from the Ordinary Council Meeting held 22 February 2018.

RESOLVED 18/03/02 (RITCHIE/SMITH)

That the Minutes of the Ordinary Council Meeting held on 22 February 2018 be adopted.

DECLARATIONS OF INTEREST:

- Nil.

OPEN FORUM:

1. NAME: Mr Murray Hartin

SUBJECT: Books in Homes Australia (BIHA)

DETAILS: *Books in Homes Australia Funding for Moree Primary School, at saftey the Committee meeting last year it was raised by myself as a board member for this not for profit group, Moree Primary have previously been under this program but unfortunatley their sponsor has recently dropped out. With the \$4,500 that was muted I had a chat with Lorinda Potter the Principal at Moree East Primary School and the BIHA CEO Peter Large and it was determined that amount of money would cover each kid in the school of 154 students for one book per child per term three times a year, rather than three books per child per term. This would normally only cover kindegarten and year one, this way the whole school gets involved. That amount of money would actually cover the program for 1.5 years which will allow us time to organise a few local people along to witness the book giving ceremony and maybe get some local sponsorship to keep it ongoing. It's a wonderful program, it*

helps children who don't have easy access to books and the literacy improvement for these kids is amazing and the look on their face when they get when they get these books they have chosen with their names in them is quite fantastic. If you are able to throw some funding our way it would be very much appreciated and thank you very much for your time.

Mayor Humphries: Thanks Murray if you see Laura the next round of Council grant funding is the first meeting in April which will be about the 12 April 2018.

Councillor Tramby: Regarding checks and balances, I love books and some people don't. How many of these children drop off the program?

We would have to check with the school but I don't know of too many kids that have dropped off the program. So it's a wonderful program and they get to select the books as the school gets the catalogue, check and balances would be taken up with the school with Lorinda Potter, she would be able to give you better feedback.

2. NAME: Kevin Hobday

SUBJECT: Home for the Aged – Safe Pedestrian Crossing

DETAILS: *Hello, I am Kevin Hobday a retired ambo that decided to stay in Mungindi and the home for the aged have made me their advocate for a safe pedestrian crossing. Through Adam Marshall funding has been obtained to the amount \$47,860 there have been a few proposals that have come through and I have attended quite a few meetings with the RMS and Moree Plains Shire Council and at the moment it was going to be started in March and it is now March. So now if you see me on Facebook, I have my grandchildren teaching me a few things so I am highlighting a few things. I know there will be a delay and I have been there for five years so my suggestion is can we put in a temporary crossing while the investigations are being done? My idea is like a school crossing with two lines outside Peter Prossers' and the Library and there is a gutter crossing. If we could get something like that to slow down the heavy trucks. The RMS have advised there are rules for highways, and as far as I can see, a life is a life so I just want them to come and talk to us at the Home for the Aged as they have some good ideas and these are not all my ideas I have become the voice for them and we should have a safe crossing that we have been waiting years and years for. Thank You.*

Mayor Humphries: Thank you Mr Hobday that will be taken on notice.

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| Report Title | A. Mayoral Minute Royal Flying Doctor Service 90th Anniversary Pilgrimage |
| Report by | Executive |
| Contact | Cr K Humphries, Mayor |
| Attachments | Two (2) attachments; refer to Attachments section |
| File | FILE18/122 |

RECOMMENDATION

That Council support the Moree layover of the Royal Flying Doctor Service 90th Anniversary Pilgrimage on 9 and 10 May 2018 by:

1. Waiving landing charges for the identified aircraft.
2. Providing publicity for the event.
3. Applying for and implementing a special event zone on the General Aviation Apron to permit visitors to visit the aircraft.
4. Providing marshalling services for landing aircraft.
5. Provide a number of staff members, who hold ASIC security cards, to assist with crowd control.
6. That a nominal amount, agreed to by Council, be allocated to cover any administrative, staff or insurance costs that may be incurred.

RESOLVED 18/03/03 (HUMPHRIES/CASELLS)

That Council support the Moree layover of the Royal Flying Doctor Service 90th Anniversary Pilgrimage on 9 and 10 May 2018 by:

1. **Waiving landing charges for the identified aircraft**
2. **Providing publicity for the event**
3. **Applying for and implementing a special event zone on the General Aviation Apron to permit visitors to visit the aircraft**
4. **Providing marshalling services for landing aircraft**
5. **Provide a number of staff members, who hold ASIC security cards, to assist with crowd control**
6. **Allocating a nominal amount, agreed to by Council, be allocated to cover any administrative, staff or insurance costs that may be incurred**
7. **By Council allocating funding of \$5,000 in the 2017/2018 financial year budget for the event.**

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|---------------------|---|
| Report Title | 1. Water Security for Regions Program |
| Report by | Water, Sewer and Waste |
| Contact | Graham Macpherson |
| Attachments | Two (2) attachments; refer to Attachments section |
| File | FILE 15/410/411/412/413 |

RESOLVED 18/03/04 (MONTGOMERY/TRAMBY)

That Council note the progress of each of the following projects, funded in whole or in part by Infrastructure NSW:

- a) Boggabilla-Toomelah Bi-Directional Pipeline project;**
- b) Biniguy Water Supply project;**
- c) Ashley Water Supply project; and**
- d) South Moree Water Security project,**

and endorse the approach proposed to continue each project.

RESOLVED 18/03/05 (TRAMBY/CASELLS)

That Report 5 be brought forward at this juncture of the meeting.

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| Report Title | 5. Recommendations from the Moree Community Safety Committee Meeting held on 25 September 2017 and 22 January 2018 |
| Report by | Planning and Community Development |
| Contact | Mark Connolly, Economic and Community Development Manager |
| Attachments | Two (2) attachments; refer to Attachments section |
| File | FILE13/405 |

RECOMMENDATIONS

1. That Council allocates up to \$4,500 from the Moree Community Safety Budget to help fund the 'Books in Homes Program' in the Moree Plains Shire.
2. That Council amends the membership of the Moree Community Safety Committee to include a representative from the Moree Cooperative Legal Service Delivery Program.

RESOVLED 18/03/06 (TRAMBY/CASELLS)

1. **That Council allocates up to \$4,500 from the Moree Community Safety Budget to help fund the 'Books in Homes Program (BIHA) in the Moree Plains Shire.**
2. **That Council be provided with a progress report after the completion of each round by the BIHA program.**
3. **That Council amends the membership of the Moree Community Safety Committee to include a representative from the Moree Cooperative Legal Service Delivery Program.**

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| Report Title | 2. New Model Code of Meeting Practice for Local Councils |
| Report by | Executive |
| Contact | Libby Carter, Integrated Planning and Reporting Manager |
| Attachments | No attachment |
| File | FILE 12/2747 |

RECOMMENDATION

That Council endorse the approach to be adopted in making a submission to the Office of Local Government in relation to the new Model Code of Meeting Practice for Local Councils in NSW.

RESOVLED 18/03/07 (CASSELLS/MONTGOMERY)

- 1. That Council endorse the approach to be adopted in making a submission to the Office of Local Government in relation to the new Model Code of Meeting Practice for Local Councils in NSW and that the following recommendations be included:**
 - a) Clauses 5.18 - 5.20 and 14.22 (this includes the webcasting of meetings) to become non-mandatory provisions**
 - b) Clauses 15.1 – 15.23 (relating to keeping order at meetings) are to be reviewed to ensure that the provisions relating to acts of disorder apply to the conduct of Councillors as well as members of the public.**
- 2. That the draft submission to the OLG regarding the new Model Code of Meeting Practice be circulated to Councillors prior to submission 16 March 2018.**

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| Report Title | 3. Draft Joint Organisation Legislation Consideration |
| Report by | Executive |
| Contact | Alice Colbran, Governance Project Officer |
| Attachments | No attachment |
| File | FILE 14/521 |

RECOMMENDATION

That Council receive the Draft Joint Organisation Legislation for consideration

RESOLVED 18/03/08 (TRAMBY/RITCHIE)

That Council endorse the submission on the proposed *Local Government Amendment (Regional Joint Organisations) Act 2017 No. 65* which includes comments regarding Section 400Y in relation to the employment of an Executive Officer.

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| Report Title | 4. National General Assembly 2018 |
| Report by | Executive |
| Contact | General Manager, Lester Rodgers |
| Attachments | One (1) attachment; refer to Attachments section |
| File | FILE 17/372 |

RECOMMENDATION

1. That the Mayor, {or Deputy Mayor} and General Manager attend the National General Assembly.
2. That Councillors and Senior Staff submit any motions that they may wish to put forward to the National General Assembly in writing to the General Manager prior to the 22 March 2018 Ordinary Council Meeting as the Motions are due Friday, 30 March 2018.
3. That these motions be considered at the Ordinary Council Meeting scheduled 22 March 2018.

RESOVLED 18/03/09 (MONTGOMERY/RITCHIE)

1. That Councillor Sue Price and the General Manager, or his representative, attends the National General Assembly.
2. That Councillors and Senior Staff submit any motions that they may wish to put forward to the National General Assembly in writing to the General Manager prior to the 22 March 2018 Ordinary Council Meeting as the motions are due Friday, 30 March 2018.
3. That these motions be considered at the Ordinary Council Meeting scheduled 22 March 2018.

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| Report Title | 6. Proposed Off-leash dog area – Old Bureau Site, 370 Boston Street, Moree |
| Report by | Planning and Community Development |
| Contact | Angus Witherby, Director of Planning and Community Development |
| Attachments | Two (2) attachments; refer to Attachments section |
| File | FILE 12/245 |

RECOMMENDATION

That Council endorse the fenced area at the Old Bureau of Meteorology site, 370 Boston Street, Moree as an off-leash area.

RESOLVED 18/03/10 (CASSELLS/MONTGOMERY)

That Council provide in principle support for the fenced area at the Old Bureau of Meteorology site, 370 Boston Street, Moree, on the condition that a further report be brought back to Council detailing the following:

- **Community consultation**
- **Cost of the full fence or repair of same**
- **Alternative uses of the land including, but not limited to; subdivision and parking.**

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| Report Title | 7. Kentucky Lane Status |
| Report by | Engineering Services |
| Contact | Ian Dinham, Director of Engineering Services |
| Attachments | Two (2) attachments; refer to Attachments section |
| File | FILE 17/504 |

RECOMMENDATION

That Council approach the residents of Kentucky Lane to discuss the potential of Council making an application to change the status of Kentucky Lane to a Council Public Road subject to an upfront contribution from the residents in the amount of \$85,000 and a legally binding self-help agreement being put in place prior to commencing work to enable the road to be brought to a satisfactory level of service.

RESOLVED 18/03/11 (CASSELLS/CRAWFORD)

That Council reiterates that the maintenance of Kentucky Lane remains a civil matter.

Cr Cassells left the meeting at time being 6.06pm and returned at the time being 6.07pm
Cr Ritchie left the meeting at the time being 6.06 and returned at the time being 6.08pm

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| Report Title | 8. Transfer of Lot 159 DP 748657 - Wilga Park |
| Report by | Corporate Services |
| Contact | Mitchell Johnson, Director Corporate Services |
| Attachments | One (1) attachment; refer to Attachments section |
| File | FILE 17/180 |

RESOLVED 18/03/12 (MONTGOMERY/RITCHIE)

- 1. That all documents pertaining to the transfer of Lot 159 DP 748657, Wilga Park from the NSW Land and Housing Corporation to Moree Plains Shire Council be executed under Council seal.**
- 2. That once the transfer is complete, that the property be listed for sale with Council's real estate agent.**

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| Report Title | B. Late Report - Workshop – Forthcoming Grant Opportunities and Project Priorities |
| Report by | Planning and Community Development |
| Contact | Mark Connolly/Angus Witherby |
| Attachments | No attachment |
| File | FILE17/548 |

RESOLVED 18/03/13 (MONTGOMERY/CASELLS)

- 1. That Council endorse the community engagement process for Expression of Interests to the Stronger Country Communities Fund (SCCF) Round 2 as set out below:**
 - a. 9 March 2018 - Media release calling for submissions in line with the SCCF guidelines made public**
 - b. 12 March 2018 – Community survey/submission template released to the public and local community groups. Process advertised via media release, website, direct communications and Facebook**
 - c. 28 March 2018 – Community project nominations close and projects evaluated against SCCF and Council criteria**
 - d. Within the first 2 weeks of April, an Extraordinary Council meeting be called to endorse the final project list for submission.**

- 2. That Council endorse the hierarchy of the Safe and Secure Water Program potential projects as presented.**

- 4. That Council endorse the below priority infrastructure projects for submission to the Growing Local Economies fund Expression of Interest process:**
 - a. The ‘East West Connector’ linking the Newell and Gwydir Highways**
 - b. The Newell Highway and Inland Rail Overpass (near ‘Tapscott’, south of the Moree Saleyards)**
 - c. Construction of a Heavy Vehicle Transport Corridor from Tapscott Road through to the Moree Industrial and Intermodal Precinct (following the general alignment of the existing local road network east of the Newell Highway and Inland Rail)**
 - d. Development of the Moree Intermodal Terminal and associated road, rail and civil infrastructure.**

- 3. That Council endorse an Expression of Interest application to the Regional Sports Infrastructure Fund for development of a multi user regional sporting facility located at the Ron Harbourne Oval/Greenbah Sports Precinct.**

CLOSED COUNCIL

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

C. Late Report Confidential - Sale of Council Land – Lot 9 Section 2 DP 758127, 85 Merriwa Street, Boggabilla

Should the Council wish to consider the request from **Chanan Khem Investments**, then they will need to resolve with explanation as follows:

That Report - C. Late Report Confidential - Sale of Council Land – Lot 9 Section 2 DP 758127, 85 Merriwa Street, Boggabilla be dealt with in Closed Council as it relates to Section 10A (2)(d)(i)(ii) of the *Local Government Act 1993* being:

- (d) commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**

D. Late Report - Offer – Lot 2 DP 594110, Lot 2 Anne Street, Moree (Confidential)

That Report - C. Late Report - Offer – Lot 2 DP 594110, Lot 2 Anne Street, Moree (Confidential) be dealt with in Closed Council as it relates to Section 10A (2)(d)(i)(ii) of the *Local Government Act 1993* being:

- (d) commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**

18/03/14 RESOLVED (RITCHIE/MONTGOMERY)

- 1. That Council resolve into closed council to consider business identified, tabled at the meeting.**
- 2. That pursuant under Section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) as outlined above.**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.**
- 4. That there be a short break in the meeting.**

The Council moved into closed Council at the time being 6.12pm the public and media left the Council Chambers. The break in the meeting at time being 6.12pm and resumed the time being 6.15pm

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| Report Title | C. Late Report Confidential - Sale of Council Land – Lot 9 Section 2 DP 758127, 85 Merriwa Street, Boggabilla |
| Report by | Corporate Services |
| Contact | Mitchell Johnson, Director Corporate Services |
| Attachments | One (1) attachment; refer to Attachments section |
| File | FILE 14/190 |

RESOLVED 18/03/15 (CASSELLS/SMITH)

That Council accepts the offer from Chanan Khem Investments, to purchase Lot 9 Section 2 DP758127, 85 Merriwa Street, Boggabilla, and that all documents associated with this sale be executed under Council seal.

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| Report Title | D. Late Report Confidential - Offer – Lot 2 DP 594110, Lot 2 Anne Street, Moree |
| Report by | Corporate Services |
| Contact | Mitchell Johnson, Director Corporate Services |
| Attachments | Two (2) attachments; refer to Attachments section |
| File | FILE 14/190 |

RECOMMENDATION

That Council considers the offer from Chanan Khem Investments Pty Ltd, to purchase Lot 2 in Deposited Plan 594110, known as Lot 2 Anne Street, Moree NSW and that all documents associated with this sale be executed under Council seal.

RESOLVED 18/03/16 (CASSELLS/MONTGOMERY)

That Council accept the offer from Chanan Khem Investments Pty Ltd, to purchase Lot 2 in Deposited Plan 594110, known as Lot 2 Anne Street, Moree NSW 2400, under standard contract for sale conditions and that all documents associated with this sale be executed under Council seal.

OPEN COUNCIL

RESOLVED 18/03/17 (RITCHIE/SMITH)

That the meeting resume into open Council.

The meeting moved into open council at the time being 6.31pm.

The Acting General Manager read out the following in open Council:

C. Late Report Confidential - Sale of Council Land – Lot 9 Section 2 DP 758127, 85 Merriwa Street, Boggabilla

RESOLVED 18/03/15 (CASSELLS/SMITH)

That Council accepts the offer from Chanan Khem Investments, to purchase Lot 9 Section 2 DP758127, 85 Merriwa Street, Boggabilla and that all documents associated with this sale be executed under Council seal.

D. Late Report Confidential - Offer – Lot 2 DP 594110; Lot 2 Anne Street, Moree

RESOLVED 18/03/16 (CASSELLS/MONTGOMERY)

That Council accept the offer from Chanan Khem Investments Pty Ltd, to purchase Lot 2 in Deposited Plan 594110, known as Lot 2 Anne Street, Moree NSW 2400 under standard contract for sale conditions and that all documents associated with this sale be executed under Council seal.

There being no further business, the meeting closed at the time being 6.33pm
